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12 Counsel for Plaintiffs DELANO FARMS COMPANY, THE SUSAN NEILL COMPANY, and
13 LUCAS BROS. PARTNERSHIP

14 UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16 DELANO FARMS COMPANY,)

a Washington corporation,)

17 THE SUSAN NEILL COMPANY,)

a California corporation,)

18 LUCAS BROS. PARTNERSHIP,)

a California Partnership,)

19)

Plaintiffs,)

20)

v.)

21)

THE CALIFORNIA TABLE)

22 GRAPE COMMISSION,)

)

23 Defendant.)

)

24)

Case No. CV-F-96-6053 OWW DLB

STIPULATED REVISION TO SCHEDULE
AND ORDER

25 WHEREAS on June 22, 2005, the parties to this action submitted a Joint Status Report
26 setting forth a proposed schedule for resumption of the litigation following the Supreme Court's
27 decision in *Johanns v. Livestock Marketing Ass'n*, 125 S. Ct. 2055 (2005);

WHEREAS on August 26, 2005, the parties submitted a revised joint scheduling proposal, which was adopted by the Court in an order dated August 31, 2005;

WHEREAS on October 26, 2005, the parties submitted a proposed revision to the date for exchanging statements of undisputed facts, which was adopted by the Court in an order dated that day;

WHEREAS the current schedule calls for the parties to exchange statements of undisputed facts on December 21, 2005, to file motions for summary judgment on January 13, 2006, to file oppositions to motions for summary judgment on February 10, 2006, and to file replies in support of motions for summary judgment on February 24, 2006;

WHEREAS professional commitments of counsel for the Commission and commitments of witnesses have made adherence to the current schedule difficult; and

WHEREAS counsel for the parties have conferred and agree that a four-week extension of the current schedule will facilitate an effective exchange and discussion regarding proposed statements of undisputed facts and effective briefing of a motion or motions for summary judgment;

IT IS HEREBY STIPULATED by the parties to this action, through their respective attorneys of record, that the following revisions be adopted by the Court:

Event	Revised Date
Parties To Exchange Proposed Statements of Undisputed Facts and To Confer re the Proposed Statements	January 18, 2006
Proposed Statements of Undisputed Facts Filed with the Court	February 10, 2006
Motions for Summary Judgment Filed	February 10, 2006
Oppositions to Motions for Summary Judgment	March 10, 2006
Replies to Motions for Summary Judgment	March 24, 2006

1 Dated: December 20, 2005

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7 By /s/ Brian M. Boynton
Brian M. Boynton

9 Counsel for Defendant THE CALIFORNIA TABLE
GRAPE COMMISSION

11 Dated: December 20, 2005

LAW OFFICES OF BRIAN C. LEIGHTON

13 By /s/ Brian C. Leighton (as authorized 12-20-05)
Brian C. Leighton

15 Counsel for Plaintiffs DELANO FARMS COMPANY,
THE SUSAN NEILL COMPANY, and LUCAS
BROS. PARTNERSHIP

17 **ORDER**

18 IT IS SO ORDERED.

20 Dated: ____December 26, 2005

/s/ OLIVER W. WANGER_____

21 Oliver W. Wanger
United States District Judge